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REGULAR MEETING OF THE CITY COUNCIL

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JUNE 16, 2009

CITY COUNCIL CHAMBERS

PRESENT: PAUL R LEPAGE, MAYOR  
MIKE ROY, CITY MANAGER

COUNCILORS: CHARLES F. STUBBERT, JR., MARY-ANNE  
BEAL, ROSEMARY WINSLOW, DANA SENNETT, CHAIR,  
JOHN O'DONNELL, THOMAS LONGSTAFF AND CARL S  
BASGALL

REGULAR MEETING

7:00 P.M.

APPROVAL OF CONSENT AGENDA

REGULAR MEETING      CONSENT AGENDA      JUNE 16, 2009

MINUTES

APPROVAL OF JUNE 2, 2009

RESOLUTION NO 65----ROLL OF ACCOUNTS NO 12

RESOLUTION NO 66----AUTHORIZING THE RENEWAL OF A SPECIAL  
AMUSEMENT PERMIT TO PRESIDENTS OF COLBY  
COLLEGE

RESOLUTION NO 67----AUTHORIZING THE RENEWAL OF A SPECIAL  
AMUSEMENT PERMIT TO BOB-IN

RESOLUTION NO 68----AUTHORIZING THE RENEWAL OF SECONDHAND  
DEALER LICENSES

Sennett Moved to Adopt  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)

UNFINISHED BUSINESS

ORDER 27-AN ORDER PROVIDING FOR CASH CONTRIBUTION FOR  
HANDICAP-ACCESSIBLE EQUIPMENT AT NORTH STREET  
(BRODY) PLAYGROUND

BE IT HEREBY ORDERED by City Council of the  
City of Waterville acting as the municipal  
officers as follows:

THAT, the City be authorized to accept a  
\$280.00 (two hundred eighty dollar) cash donation  
from a local group of citizens to purchase a  
piece of handicap-accessible equipment for the  
North Street Playground. When enough money is  
raised, the City will purchase a specialty piece  
of equipment in memory of Jacob Ubert. Donations  
will be deposited into Recreation Fund Account  
#54044500-486000-ADA1.

Sennett Moved to Read by Title Only  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)  
Order Read by Title Only  
Sennett Moved to Accept  
Winslow Seconded the Motion  
Sennett Moved to Amend by Adding the  
Following Paragraph: "And Further, that  
the City be authorized to accept future  
cash donations up to \$500 for the next  
5 years for the purpose of purchasing  
additional equipment for the North  
Street Playground and that the Manager  
report such contributions to the  
council at his earliest available  
opportunity."  
Winslow Seconded the Motion  
Vote on Amendment (7-0)  
Vote on Order 27 as Amended:  
All in Favor (7-0)  
Sennett Moved to Hold Third Reading by  
Title Only  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)

Sennett Moved to Adopt  
Winslow Seconded the Motion

Roll Call Vote	Yes	No	Abstain
Charles F Stubbett Jr	1		
Mary-Anne Beal	2		
Rosemary A Winslow	3		
Dana Sennett	4		
John O'Donnell	5		
Thomas Longstaff	6		
Carl S Basgall	7		
Vote (7-0)			

ORDER 28-AN ORDER PROVIDING FOR AUTHORIZING ACCEPTANCE AND  
APPROPRIATION OF DONATION FOR THE WATERVILLE  
POLICE DEPARTMENT

BE IT HEREBY ORDERED by the City Council of  
the City of Waterville, acting as the municipal  
officers as follows:

THAT the City Council hereby authorizes  
acceptance of a two thousand dollar (\$2,000)  
donation to the Waterville Police Department.

AND further agrees to appropriate said sum  
to support the cash match for four (4) speed  
enforcement radars.

Sennett Moved to Read by Title Only  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)  
Order Read by Title Only  
Sennett Moved to Accept  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)  
Sennett Moved to Hold Third and Final  
Reading by Title Only  
Longstaff Seconded the Motion  
Vote: All in Favor (7-0)  
Order Read by Title Only  
Sennett Moved to Adopt  
Winslow Seconded the Motion

Roll Call Vote	Yes	No	Abstain
Charles F Stubbett Jr	1		
Mary-Anne Beal	2		
Rosemary A Winslow	3		
Dana Sennett	4		
John O'Donnell	5		

Thomas Longstaff 6  
Carl S Basgall 7  
Vote (7-0)

**NEW BUSINESS**

**RESOLUTION 69-A RESOLUTION PROVIDING FOR CONTRACT FOR LEGAL SERVICES**

BE IT RESOLVED by the City Council of the City of Waterville, acting as the municipal officers, as follows:

THAT the City Manager be authorized to sign the attached contract for legal services for the term July 1, 2009 to June 30, 2012.

Resolution Read in Full  
Sennett Moved to Adopt  
Winslow Seconded the Motion  
Longstaff Moved to Amend by Adding the Following: "Be It Further Resolved, that William A Lee be appointed Solicitor for said contract term."  
Beal Seconded the Motion  
Vote: All in Favor (7-0)  
Vote on Resolution 69 as Amended  
Vote: All in Favor (7-0)

**RESOLUTION 70-A RESOLUTION PROVIDING FOR REQUEST FOR A SPEED LIMIT REDUCTION**

WHEREAS, the Maine State Credit Union project at the intersection of Grove St and Carter Memorial Drive focused attention on the existing 45 mph speed limit currently posted on Carter Memorial Drive, and

WHEREAS, the Credit Union, their Traffic Engineer, and the City Engineer all concur that a speed reduction to 25 mph is prudent for vehicles that approach the Grove Street intersection,

BE IT HEREBY RESOLVED by the City Council, acting as the Municipal Officers, as follows:

THAT, the City Manager be directed to petition the Maine DOT for a speed reduction, from 45 mph to 25 mph, for north bound traffic on Carter Memorial Drive, as the traffic nears the Grove Street intersection. The final location of any sign(s) and related details shall be determined by DOT STAFF, AS REQUIRED BY State Statute. If approved by the DOT, all costs and

responsibility for implementation shall be borne by the DOT.

Resolution Read in Full  
Sennett Moved to Adopt  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)

RESOLUTION 71-A RESOLUTION PROVIDING FOR BID AWARD -  
CHASE/LINCOLN STREET RECONSTRUCTION

BE IT RESOLVED by the City Council of the City of Waterville, acting as the municipal officers, as follows:

THAT the City hereby accept the low bid of nine hundred eighteen thousand, six hundred eighty one dollars and thirty five cents (\$918,681.35) along with the bid alternate of one hundred two thousand, five hundred eighty dollars and no cents (\$102,580.00) for a total of one million, twenty one thousand, two hundred sixty one dollars and thirty five cents (\$1,021,261.35) be accepted from Pike Industries of Fairfield, Maine, and that a 5% ~~change order~~ contingency allowance be added in the amount of fifty one thousand, sixty three dollars and no cents (\$51,063.00), making the total funding commitment for this project \$1,072,324.35. Funding sources are as follows:

MDOT	\$400,000.00
Colby College	\$250,000.00
City of Waterville	\$422,324.35**

(\*\*Funds to be appropriated from the Landfill Reserve Account)

Resolution Read in Full  
Sennett Moved to Adopt  
Winslow Seconded the Motion  
Longstaff Moved to Amend by Changing 5% Change Order to 5% Contingency, as Shown Above  
Beal Seconded the Motion  
Vote: All in Favor (7-0)  
Vote on Resolution 71 as Amended  
Vote: All in Favor (7-0)

RESOLUTION 72 A RESOLUTION PROVIDING FOR BID AWARD - FY  
09/10 TRENCH RESURFACING PROGRAM

BE IT RESOLVED by the City Council of the  
City of Waterville as follows:

THAT the Public Works Department be hereby  
authorized to award a Contract for Trench Resurfacing  
on Public Ways for the period July 1, 2009 through  
June 30, 2010 to Shade Tree Paving, 701 Hinckley Road,  
Clinton, Maine. Funds to come from the Public Works  
Operations & Maintenance Budget Trench Resurfacing  
Account #10033223-578200.

Resolution Read in Full  
Sennett Moved to Adopt  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)

RESOLUTION 73 A RESOLUTION PROVIDING FOR CANVASSING OF  
VOTES AND DETERMINATION OF THE RESULT OF THE  
SPECIAL MUNICIPAL ELECTION HELD ON JUNE 9, 2009

BE IT RESOLVED by the City Council of the City of  
Waterville as follows:

THAT, the City Council, acting as the canvassing  
board for the canvassing of the votes and the  
determination of the result of the Special Municipal  
Election held on Tuesday, June 9, 2009, received and  
examined the returns from the seven wards in the  
presence of the City Clerk who made a record as  
follows:

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QUESTION #1

"Do you favor approving the Kennebec Valley  
Consolidated Schools AOS budget for the upcoming  
school year that was adopted at the latest AOS budget  
meeting?"

<u>YES</u>	<u>NO</u>
197	35

QUESTION #2

Do you favor approving the Waterville Public  
School's Budget for the upcoming school year that was  
adopted by the City council Budget and that includes

locally raised funds that exceeded the required local contribution as described in the Essential Programs and Services funding Act?

<u>YES</u>	<u>NO</u>
195	37

Resolution Read in Full  
Sennett Moved to Adopt  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)

RESOLUTION 74-A RESOLUTION PROVIDING FOR PURCHASE OF A NEW PHONE SYSTEM

BE IT RESOLVED by the City Council of the City of Waterville, acting as the municipal officers, as follows:

THAT the City Manager be authorized to purchase a new phone system from Communication Technologies, Inc. in the amount of \$60,130.95 and that said sum be funded as follows:

\$40,130.95 from the Capital Improvement Reserve Fund

- \$20,000 in funds remaining from a Department of Justice Byrne Grant Fund.

Resolution Read in Full  
Sennett Moved to Adopt  
Winslow Seconded the Motion  
Longstaff Moved to Table to July 7<sup>th</sup>  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)

ORDER 29-AN ORDER PROVIDING FOR CASH CONTRIBUTION FROM WATERVILLE ROTARY CLUB AND ACCEPTANCE OF FEES FOR NORTH STREET GARDEN PLOTS

BE IT HEREBY ORDERED by City Council of the City of Waterville acting as the municipal officers as follows:

THAT, the City be authorized to accept a \$1000.00 (one thousand dollar) cash donation from the Waterville Rotary Club. Funds from the donation will be used to purchase materials and equipment to build 12 raised beds (gardens) located just south of the boat landing on North Street.

THAT, the City be authorized to accept an annual fee of \$10 for individuals wishing to reserve garden plots. Fees will be collected and used to refurbish equipment and materials. Funds will be deposited into Recreation Fund account #54044500-486000-GRDN

Order Read in Full  
Sennett Moved to Accept  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)

ORDER 30-AN ORDER PROVIDING FOR THE CITY TO CARRY FORWARD  
GRANT MONEY FROM THE UNITED WAY OF MID-MAINE

THAT the City be allowed to carry forward from fiscal year 2008-09 to fiscal year 2009-10 any remaining grant money in the general fund from the United Way of Mid-Maine for a heating assistance grant. This funding, part of the Keeping Mid-Maine Warm initiative, will be spent by General Assistance department in 2009-10 for fuel assistance for clients who may not qualify for General Assistance or emergency assistance through other local agencies.

Order Read in Full  
Sennett Moved to Accept  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)

ORDER 31-AN ORDER PROVIDING FOR SALE OF TAX ACQUIRED  
PROPERTY (55 SUMMER ST)

WHEREAS, the City acquired a single family residential building located at 55 Summer Street in 2008; and

WHEREAS, the former owner was provided due notice as required by City ordinance; and

WHEREAS, the property has numerous code/safety and health violations; and

WHEREAS, the KVCAP agency has proposed a renovation plan to correct all violations and to make the property available as an affordable housing residence;

NOW THEREFORE, BE IT HEREBY ORDERED by City Council of the City of Waterville acting as the municipal officers as follows:



THAT the City sell the property for ~~\$18,700~~  
\$ \$21,780. and that the City Manager be  
authorized to sign all paperwork to complete the  
sale and that said funds be deposited in the  
Capital Improvement Reserve Fund..

Order Read in Full  
Sennett Moved to Accept  
Winslow Seconded the Motion  
Winslow Moved to Amend the Amount from  
\$18,700 to \$21,780. As Shown Above:  
Longstaff Seconded the Motion  
Vote in Favor of Amendment: Beal,  
Winslow, Sennett, O'Donnell, Longstaff  
and Basgall  
Vote to Oppose: Stubbert  
Vote to Abstain: None  
Vote: (6-1-0)  
Vote on Order 31 As Amended  
Vote in Favor: Beal Winslow, Sennett,  
O'Donnell, Longstaff and Basgall  
Vote to Oppose: Stubbert  
Vote to Abstain: None  
Vote: (6-1-0)

ORDER 32-AN ORDER PROVIDING FOR ACCEPTANCE OF GRANT AWARD  
BE IT HEREBY ORDERED by City Council of the  
City of Waterville acting as the municipal  
officers as follows:

THAT, the City be authorized to accept a  
\$7,800.00 grant award from the Department of  
Conservation and the Project Canopy Assistance  
Program. The grant is designated for tree  
planting and maintenance. The City intends to use  
funds to plant 20-30 trees at various locations  
throughout the City.

Order Read in Full  
Sennett Moved to Accept  
Winslow Seconded the Motion  
Vote: All in Favor (7-0)

The Mayor announced the appointments of John Hamelin to the  
Kennebec Sanitary Treatment District Trustees, Term to  
expire June of 2012, David Cosgrove to the Waterville  
Housing Authority Commissioners, term to expire 2014 and

Sonia Smith, to the Waterville Housing Authority  
Commissioners, term to expire 2014: Vote: All in Favor  
(7-0).

There being no further business the meeting was adjourned.

A true copy attest

  
City Clerk